IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1128 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

TARU ENTERPRISES

Versus

REGIONAL PASS-PORT OFFICER

Appearance:

MR HARUBHAI MEHTA SR. COUNSEL FOR MR CB DASTOOR for Petitioner
MR ANANT S DAVE for Respondent No. 1
NOTICE SERVED BY DS for Respondent No. 2

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 04/04/2001

ORAL JUDGEMENT

Rule. Mr. Anant S. Dave Addl. Central Govt. Standing Counsel appears on behalf of the respondents and waives service of rule on behalf of the respondents.

2. Heard the learned counsel for the parties. This petition has been filed for quashing and setting the order dated 23-1-2001 passed by the respondent no. 1 on the ground that the Travelling Agency is not qualified for submission of passport application forms in the office with immediate effect. The contention of the learned Sr. Counsel Mr. Harubhai Mehta appearing for Mr. C.B. Dastoor learned counsel for the petitioner is that the petitioner is not a member of TAFI and hence his application is rejected by the respondent - authority. He further submitted that number of travelling agents mentioned on page No. 37 to 39 of this petition have been continued irrespective of the fact that they are not members of IATA and TAFI. The application of the petitioner is still pending before the respondent authority. But the respondent authority has not entertained the application of the petitioner.

3. In the facts and circumstances of this case, this application is required to be disposed of and the petitioner is directed to make a fresh application/representation to the respondent authority. If any such application/representation is made by the petitioner the respondent authority is directed to entertain, consider and decide the same in accordance with law on the basis of the material filed by the petitioner in support of his application, within three weeks from the date of receipt of writ of this Court or certified copy of this order whichever is earlier. The respondent authority will be at liberty to pass appropriate order with regard to the costs of these proceedings.

4. With the above directions and observations, this petition is disposed of. Rule is discharged.

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/JVSatwara/